

United States District Court  
Southern District of Texas

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

JAN 23 2015

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk

## CRIMINAL COMPLAINT

Ramferi Tuco-Garcia

A206 697 096

YOB: 1993

Principal

Guatemala

Case Number:

M-15-0098-M

Ismael Baltazar-Barrera

A202 085 328

YOB: 1991

Co-Principal

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about January 22, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Juan Enrique-Morales, citizen and national of the United Mexican States, and Angel Eduardo Guzman-Toro, citizen and national of the United Mexican States, along with eleven (11) other undocumented aliens, for a total of thirteen (13), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Rio Grande City, Texas to the point of arrest in La Reforma, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On January 22, 2015, at approximately 6:30 a.m., Border Patrol Agents J. Ortega and J. Cervantes observed a white truck traveling heavily laden east on Highway 755 west of Rachal, Texas. Agents Ortega and Cervantes followed the vehicle to get a better look at and to request a registration check on the plates. Before the Agents Ortega and Cervantes could request the plates, the vehicle immediately stopped; the driver and multiple passengers absconded from the vehicle. Agents also observed a number of subjects absconded from the bed of the pick-up truck. Three subjects were immediately detain and nearby agents assisted with the apprehension of 12 additional subjects approximately 1 mile south of the bail out. An immigration inspection was performed on all 15 subjects on scene. All subjects freely admitted to being citizens of countries other than the United States were not in possession of any documents allowing them to enter or reside in the United States legally.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ NoApproved  
Jorge Lora

Signature of Complainant

Cipriano Shears Jr

Senior Patrol Agent

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

January 23, 2015

Date

3:38 PM

at McAllen, Texas  
City and State

Peter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15-0098-M**

**RE: Ramferi Tuco-Garcia A206 697 096**  
**Ismael Baltazar-Barrera A202 085 328**

**CONTINUATION:**

All subjects and vehicle were transported to the Weslaco, Texas Border Patrol Station for processing.

**MIRANDA RIGHTS:**

Both Principals: TUCO-Garcia Ramferi and BALTAZAR-Barrera, Ismael were advised of their Miranda Rights in Spanish language and both subjects acknowledged they understood their rights.

**PRINCIPAL STATEMENT/DRIVER:**

Ramferi TUCO-Garcia, a citizen and national of Mexico, stated that he was charged \$5000 USD to be smuggled into the United States but was able to only pay \$1,500 USD. He stated that a smuggler called "El Boludo" told him that he could pay off his debt by transporting a load of illegal aliens.

On January 20, 2015 at approximately 10:00 pm., TUCO-Garcia along with an approximate group of 13 undocumented subjects made their illegal entry into the United States near Rio Grande City, Texas. After making his illegal entry, TUCO-Garcia's group was picked up by an unknown subject and transported to a brushy area. After a few hours of waiting in the brush, a white extended cab truck arrived and TUCO-Garcia got behind the wheel. TUCO-Garcia began following a lead vehicle that was to signal if the road was clear of law enforcement.

After driving for a few minutes, TUCO-Garcia noticed law enforcement behind him; he kept driving and refused to stop because he was scared and determined to get to Houston, TX. TUCO-Garcia stated he did not tell the undocumented subjects to run because they had already been instructed on what to do if Border Patrol stopped the truck.

**PRINCIPAL STATEMENT/BRUSH GUIDE:**

Ismael BALTAZAR-Barrera, a citizen and national of Mexico, states he made arrangements with his cousin TUCO-Pineda, Francisco who resides in Mexico. BALTAZAR said he paid \$1000 USD, before crossing the Rio Grande River and he would pay another \$2000 USD, when getting to Houston, Texas. BALTAZAR stated after crossing into the United States he waited in a brushy area before being picked up by a white extended cab truck. He did not provide information regarding his smuggling arrangements.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15-0098 -M**

**RE: Ramferi Tuco-Garcia  
Ismael Baltazar-Barrera**

**A206 697 096  
A202 085 328**

**CONTINUATION:**

**MATERIAL WITNESS STATEMENTS:**

Juan ENRIQUE-Morales and Angel Eduardo GUZMAN-Toro were advised of their Miranda Rights as per service form I-214 in the Spanish language both signed the form indicating that they understood their rights and were willing to provide a sworn statement without the presence of an attorney.

1. Juan ENRIQUE-Morales, citizen and national of Mexico, stated that he made smuggling arrangements with unknown female by the nickname as "La Tia" in Mexico. That arrangement made with "La Tia" included a payment of \$2,000.00 USD to be smuggled into the United States and an additional \$2,500.00 once he arrived in Houston, Texas. ENRIQUE was smuggled into the United States with a group of 8 subjects who were guided north by an unknown foot guide. ENRIQUE stated the river guide, guided them to a vehicle that was already waiting for them near the paved road. ENRIQUE stated that they were picked up by truck and were taken to a brushy area. ENRIQUE stated that once in the brushy area he met with the brush guide, who he identified in a photo line-up as BALTAZAR-Barrera, Ismael, who told him and the rest of the group to stay quiet and that they would spend the night at the brush. ENRIQUE stated that BALTAZAR-Barrera was on the phone talking to the driver and told the group that they would be picked up in the morning. ENRIQUE stated that BALTAZAR-Barrera spend the night with the group, woke them up in the morning and then guided them to the load vehicle. ENRIQUE stated that the driver, who he identified on a photo line-up TUCO-Garcia, Ramferi, told the group to get in the vehicle quickly and to stay quiet. ENRIQUE stated that after driving for a while, the vehicle came to a stop and the driver told the group to get off and run.

2. Angel Eduardo GUZMAN-Toro, a citizen and national of Mexico, stated that he would have to pay \$ 4,000 to reach Houston, Texas; however, he has only paid 1,000.00 USD thus far, and would pay the remainder once he arrived to Houston, Texas. On January 20, 2015, GUZMAN -Toro states that he entered the United States without inspection near Rio Grande City, Texas. After crossing into the U.S, GUZMAN-Toro stated that he and 23 additional subjects were guided by three foot guides. GUZMAN identified Ismael BALTAZAR-Barrera in a photo line-up as one of the three river-guides who helped him cross the river and guided him through the brush. Once in the United States, he claims to have stayed in an apartment with three other aliens for the night and was picked up the next morning by the white truck. GUZMAN-Toro states that after driving for an unknown amount of time, the driver later identified as TUCO-Garcia, Ramferi veered the truck off to the side of the road and was told them to jump out of the truck and run. Angel Eduardo GUZMAN-Toro was able to identify Ramferi TUCO-Garcia and Ismael BALTAZAR-Barrera as the driver and foot guide for the group through photo line-up.